



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: February 23, 2010

Department: Zoning, Building, Planning **Staff Contact:** Catherine VerEecke, Program Planner

TITLE: CONSENT: Special Use Permit for Specific Uses for Sale of Household, Yard, and Garden Equipment, and a Single Family Dwelling/Office (CSU-80032)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the January 6, 2010 public hearing, the County Planning Commission voted (6-0, Commissioner McMahan excused) to recommend approval of the request for a Special Use Permit for Specific Uses for Sale of Household, Yard, and Garden Equipment, and a Single Family Dwelling/Office on Tract 206B1, MRGCD Map #23, located at 9620 2nd Street NW, on the east side of 2nd Street approximately 600 feet north of Alameda Boulevard, zoned A-1, and containing approximately 1.49 acres. The decision was based on the following seven (7) Findings and subject to the following fourteen (14) Conditions.

Findings:

1. This is a request for approval of a Special Use Permit for Specific Uses for a Single Family Dwelling/Office, and the Sale of Household, Yard, and Garden Equipment (flagstone) on Tract 206B1, MRGCD Map #23, located at 9620 2nd Street NW, on the east side of 2nd Street approximately 600 feet north of Alameda Boulevard, zoned A-1, and containing approximately 1.49 acres.
2. The property is located in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
3. This request is consistent with Resolution 116-86 in that changed neighborhood conditions, including more intense industrial development next to the site, justify the land use change.
4. This request is consistent with Resolution 116-86 in that this Special Use Permit will act as a transition between adjacent zones, and the conditions of approval apply regulations that require this development to minimize impacts to adjoining properties.
5. This request has substantial neighborhood support.
6. Unique conditions exist in that the property is located on Second St, next to a fence company with M-1 zoning, is nearby Alameda Blvd., and has a single family dwelling on

it.

7. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. Lighting shall be site specific. Shielded or cutoff lighting fixtures shall be provided so that no fugitive light crosses into adjacent lots.
2. The applicant shall obtain a building permit for the proposed office from the Zoning, Building, Planning, and Environmental Health Department within three months of the final Board of County Commissioners approval.
3. Signage shall not exceed a total of 32 square feet. A sign permit shall be obtained from the Zoning, Building, Planning, and Environmental Health Department.
4. There shall be a six-foot high solid wall or fence along the south property lines and no less than 5 feet from the east property line abutting residential uses to be constructed within 90 days of the final Board of County Commissioners approval.
5. The required 6 foot wall shall be outside the landscaping in the setback along 2nd Street. There shall be a 15 foot landscape setback along 2nd St. and the private access easement that complies with the standards outlined in the Zoning Ordinance to be installed within six months of the final Board of County Commissioners approval.
6. The outdoor storage of equipment, materials and supplies, and vehicles, other than those associated with the residential use, shall be limited to the front portion of the property, and shall be enclosed by a solid wall or solid fence at least six feet high. The rear portion of the site shall remain vacant in a natural state (dirt) with no outdoor storage and shall be separated from the residence and retail area by a 15 foot landscape buffer to comply with the standards outlined in the Zoning Ordinance.
7. The applicant shall provide a driveway with a minimum width of 30 feet including an asphalt or concrete entrance for the commercial portion. The approved driveway shall be constructed according to the site plan dated November 16, 2009, notes #6 and #13 area as base course, and Note #3 area as, identified as parking shall be paved and appropriately marked. This shall be shown on the final site plan and shall be constructed within 90 days of the final Board of County Commissioners approval.
8. A driveway permit for the access on Second St. shall be obtained from the New Mexico Department of Transportation within two months of the final Board of County Commissioners' approval. A copy of the permit shall be provided to the Public Works Division and the Zoning, Building, and Environmental Health Planning Department.
9. A grading and drainage plan shall be submitted for review and approval to Bernalillo County Public Works Division within 90 days of the final Board of County Commissioner's approval. A copy of the approval shall be submitted to the Zoning, Building, and Environmental Health Planning Department.

10. All off-street parking areas on the property shall be surfaced in accordance with Section 21.d.2 of the Zoning Ordinance. ADA parking spaces shall be appropriately marked to indicate the location of the space and paved with hard surface.
11. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
12. The Special Use Permit shall be issued for the life of the use.
13. A revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within three months of the final Board of County Commissioners approval. The site plan will reflect the approved access to the site and circulation within the site, the approved surfacing of driveways and parking areas, all required and existing landscaping and solid fencing, and shall identify all existing structures on the site.
14. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (January 11, 2010)
2. County Planning Commission Information Packet.
3. Site Plan, dated November 16, 2009 (Commissioners Only).

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING:

Staff Recommends Approval